



MINUTES

GOVERNMENT OPERATIONS INTERIM COMMITTEE

Wednesday, May 15, 2019 | 8:30 a.m. | 450 State Capitol

Members Present:

Sen. Daniel W. Thatcher, Chair
Rep. John Knotwell, Chair
Sen. Don L. Ipson
Sen. Jani Iwamoto
Sen. Todd Weiler
Rep. Kyle R. Andersen
Rep. Brady Brammer
Rep. Suzanne Harrison
Rep. Jon Hawkins
Rep. Karen Kwan
Rep. Phil Lyman

Rep. Val L. Peterson
Rep. Marc K. Roberts
Rep. Travis M. Seegmiller
Rep. Andrew Stoddard

Members Absent:

President J. Stuart Adams

Staff Present:

Mr. Brian J. Bean, Policy Analyst
Mr. Thomas R. Vaughn, Associate General Counsel
Ms. Tracey Fredman, Administrative Assistant

Note: A copy of related materials and an audio recording of the meeting can be found at www.le.utah.gov.

Chair Knotwell called the meeting to order at 8:33 a.m.

1 . Committee Business

2 . Open and Public Meetings Act Training

Brian Bean, Policy Analyst, Office of Legislative Research and General Counsel, summarized key provisions of the Open and Public Meetings Act.

[2 - 2019 Open and Public Meetings Act, A Summary of Key Provisions for Legislators](#)

3 . Committee Study Items

Brian Bean, Policy Analyst, Office of Legislative Research and General Counsel, reviewed the 2019 study items assigned to the committee by the Legislative Management Committee.

[3 - Assigned Study Items for 2019](#)

MOTION: Sen. Thatcher moved to approve study items as contained in "Assigned Study Items for 2019." The motion passed with a vote of 11 - 0 - 5.

Yeas-11

Rep. K. Andersen
Rep. B. Brammer
Rep. S. Harrison
Rep. J. Hawkins
Sen. J. Iwamoto
Rep. J. Knotwell
Rep. P. Lyman
Rep. M. Roberts
Rep. T. Seegmiller
Rep. A. Stoddard
Sen. D. Thatcher

Nays-0Absent-5

Sen. J. Adams
Sen. D. Ipson
Rep. K. Kwan
Rep. V. Peterson
Sen. T. Weiler

Sen. Thatcher assumed the chair.

4 . Executive Boards and Commissions

Mike Mower, Deputy Chief of Staff, Governor's Office, discussed potential plans to make current executive branch boards and commissions more efficient and effective.

[4 - Executive Branch Boards and Commissions](#)

MOTION: Rep. Knotwell moved to open a committee bill file to repeal, combine, or otherwise reduce the scope of boards and commissions in the executive branch. The motion passed with a vote of 12 - 0 - 4.

Yeas-12

Rep. K. Andersen
Rep. B. Brammer
Rep. S. Harrison
Rep. J. Hawkins
Sen. J. Iwamoto
Rep. J. Knotwell
Rep. K. Kwan
Rep. P. Lyman
Rep. M. Roberts
Rep. T. Seegmiller
Rep. A. Stoddard
Sen. D. Thatcher

Nays-0Absent-4

Sen. J. Adams
Sen. D. Ipson
Rep. V. Peterson
Sen. T. Weiler

MOTION: Rep. Knotwell moved to approve the minutes of the November 14, 2018, meeting. The motion passed with a vote of 12 - 0 - 4.

Yeas-12

Rep. K. Andersen
Rep. B. Brammer
Rep. S. Harrison
Rep. J. Hawkins
Sen. D. Ipson
Sen. J. Iwamoto
Rep. J. Knotwell
Rep. K. Kwan
Rep. P. Lyman
Rep. M. Roberts
Rep. T. Seegmiller
Sen. D. Thatcher

Nays-0Absent-4

Sen. J. Adams
Rep. V. Peterson
Rep. A. Stoddard
Sen. T. Weiler

5 . Congressional Vacancy

Thomas Vaughn, Associate General Counsel, Office of Legislative Research and General Counsel, briefed committee members about the legal requirements for filling a congressional vacancy.

Brian Bean, Policy Analyst, Office of Legislative Research and General Counsel, briefed the committee on the timing of other states' elections to fill a vacancy in the United States House of Representatives and discussed how the timing of those elections might influence the policies used to fill the vacancy.

[5b - How House Vacancies are Filled in 50 States](#)

[5a -S.B. 123 Veto Letter](#)

[5c - Filling Vacancies in the Office of the United States Senator](#)

[5d - Filling a Congressional Vacancy](#)

MOTION: Rep. Knotwell moved to open a committee bill file to provide statutory direction on the timing and manner of filling a congressional vacancy. The motion passed with a vote of 14 - 0 - 2.

Yeas-14

Rep. K. Andersen
Rep. B. Brammer
Rep. S. Harrison
Rep. J. Hawkins
Sen. D. Ipson
Sen. J. Iwamoto
Rep. J. Knotwell
Rep. K. Kwan
Rep. P. Lyman
Rep. M. Roberts
Rep. T. Seegmiller
Rep. A. Stoddard
Sen. D. Thatcher
Sen. T. Weiler

Nays-0

Absent-2

Sen. J. Adams
Rep. V. Peterson

6 . Abusive Conduct Reporting

Rep. Keven J. Stratton introduced the topic of abusive conduct reporting related to state employee reporting and state employer investigation of abusive conduct.

[6 - 2019 General Session 3rd Sub. H.B. 388, "Abusive Conduct Reporting Amendments"](#)

Jacey Skinner, attorney, Ballard Spahr, LLP, spoke to the issue.

Paul Garver, Executive Director, Department of Human Resource Management, responded to questions from the committee.

MOTION: Rep. Knotwell moved to open a committee bill file similar to 2019 General Session H.B. 388 Third Substitute, "Abusive Conduct Reporting Amendments," and that a draft of the bill be ready for discussion at the committee's June meeting. The motion passed with a vote of 14 - 0 - 2.

Yeas-14

Rep. K. Andersen
Rep. B. Brammer
Rep. S. Harrison
Rep. J. Hawkins
Sen. D. Ipson
Sen. J. Iwamoto
Rep. J. Knotwell
Rep. K. Kwan
Rep. P. Lyman
Rep. M. Roberts
Rep. T. Seegmiller
Rep. A. Stoddard
Sen. D. Thatcher
Sen. T. Weiler

Nays-0Absent-2

Sen. J. Adams
Rep. V. Peterson

7 . Plurality

Brian Bean, Policy Analyst, Office of Legislative Research and General Counsel, discussed plurality and presented policy options for the committee to consider in order to reduce or eliminate the possibility of a candidate being elected with less than a majority vote.

[7b - Plurality, Utah, and the 50 States](#)

Derek Brenchley, Deputy Director of Elections, Office of the Lieutenant Governor, and Mr. Ricky Hatch, Clerk/Auditor, Weber County, responded to questions from the committee.

Thomas Vaughn, Associate General Counsel, Office of Legislative Research and General Counsel, discussed recent legislation in the state to address plurality.

[7a - Recent Legislation - Proposals to Address Plurality](#)

MOTION: Rep. Knotwell moved to open a committee bill file to reduce or eliminate the possibility of a candidate being elected with less than a majority vote. The motion passed with a vote of 15 - 0 - 1.

Yeas-15

Rep. K. Andersen
Rep. B. Brammer
Rep. S. Harrison
Rep. J. Hawkins
Sen. D. Ipson
Sen. J. Iwamoto
Rep. J. Knotwell
Rep. K. Kwan
Rep. P. Lyman
Rep. V. Peterson
Rep. M. Roberts
Rep. T. Seegmiller
Rep. A. Stoddard
Sen. D. Thatcher
Sen. T. Weiler

Nays-0Absent-1

Sen. J. Adams

MOTION: Rep. Knotwell moved to open a committee bill file to address technical amendments to the vote by mail process. The motion passed with a vote of 15 - 0 - 1.

Yeas-15

Rep. K. Andersen
Rep. B. Brammer
Rep. S. Harrison
Rep. J. Hawkins
Sen. D. Ipson
Sen. J. Iwamoto
Rep. J. Knotwell
Rep. K. Kwan
Rep. P. Lyman
Rep. V. Peterson
Rep. M. Roberts
Rep. T. Seegmiller
Rep. A. Stoddard
Sen. D. Thatcher
Sen. T. Weiler

Nays-0Absent-1

Sen. J. Adams

MOTION: Rep. Knotwell moved to open a committee bill file address policy issues related to the vote by mail process. The motion passed with a vote of 15 - 0 - 1.

Yeas-15

Rep. K. Andersen
Rep. B. Brammer
Rep. S. Harrison
Rep. J. Hawkins
Sen. D. Ipson
Sen. J. Iwamoto
Rep. J. Knotwell
Rep. K. Kwan
Rep. P. Lyman
Rep. V. Peterson
Rep. M. Roberts
Rep. T. Seegmiller
Rep. A. Stoddard
Sen. D. Thatcher
Sen. T. Weiler

Nays-0Absent-1

Sen. J. Adams

Rep. Knotwell assumed the chair.

8 . Local Government Disclosure Requirements

Sen. Thatcher discussed accountability and transparency in local governments' use of public funds for lobbying, including concerns regarding potential financial relationships between local lobbyists, local public officials, and local candidates.

Derek Brenchley, Deputy Director of Elections, Office of the Lieutenant Governor, responded to committee members' questions.

9 . By-Mail Voting

This item was not discussed.

10 . Other Items/Adjourn

Chair Knotwell adjourned the meeting at 10:57 a.m.